

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

TEXAS GUN RIGHTS, INC.,
and NATIONAL ASSOCIATION
FOR GUN RIGHTS INC.,

Plaintiffs,

v.

Civil Action No. 4:23-cv-00578-O

BUREAU OF ALCOHOL, TOBACCO,
FIREARMS AND EXPLOSIVES,

Defendant.

PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION

Pursuant to Fed. R. Civ. P. 65, and 5 U.S.C. § 705, Plaintiffs hereby move for a preliminary injunction prohibiting Defendant from implementing and enforcing the “Factoring Criteria for Firearms with Attached ‘Stabilizing Braces’” Rule as published at 88 Fed. Reg. 6478 (Jan. 31, 2023). The grounds for this motion are that the Rule is unconstitutional and illegal, as set forth in the brief in support filed herewith.

CERTIFICATE OF CONFERENCE AND NOTICE/SERVICE

This motion is opposed. Pursuant to Local Civil Rule 7.1, undersigned counsel certifies that on June 8 & 9, 2023, attorney for Plaintiffs, Daniel Lennington, and attorneys for Defendant, Taylor N. Pitz (USDOJ-CIV), Jody Lowenstein (USDOJ-CIV), and Michael Drezner (USDOJ-CIV) conferred regarding this motion for a preliminary injunction via email. Attorney Pitz indicated that Defendant would oppose this motion and its request for relief. Therefore, Plaintiffs move for a preliminary injunction to protect their rights from irreparable harm as explained in the brief in support of this motion.

I hereby certify that on June 15, 2023, I electronically filed the foregoing using the CM/ECF system. Thus far, no appearances have been filed in this case, however, service was accepted electronically by AUSA Brian Stoltz on behalf of the U.S. Attorney's office. Accordingly, AUSA Stoltz will be notified and served this motion via email, Attorneys Pitz, Lowenstein, and Drezner will be notified and sent courtesy copies via email, and copies of this motion will be served via mail on the following per Fed. R. Civ. P. 4(i):

Office of the Attorney General
of the United States
950 Pennsylvania Ave, N.W.
Washington, DC 20530-0001

Bureau of Alcohol, Tobacco,
Firearms and Explosives
99 New York Avenue, NE
Washington, DC 20226

Dated this 15th day of June, 2023.

Respectfully Submitted,

THE LAW OFFICE OF JASON NASH, P.L.L.C.

s/ Jason C. Nash

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